



UNITED STATES PATENT AND TRADEMARK OFFICE

803 T-002 - DIV 3

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THW

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/632,349	07/31/2003	Chanda Zaveri	37896.00002.DIV3

32301  
CATALYST LAW GROUP, APC  
4330 LA JOLLA VILLAGE DRIVE SUITE 220  
SAN DIEGO, CA 92122

CONFIRMATION NO. 5624  
FORMALITIES LETTER



\*OC000000016265679\*

Date Mailed: 06/13/2005

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

### Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- This application is objected to because it contains a data file on CD-ROM/CD-R, however, the transmittal letter does not list for each compact disc, the machine format, the operating system compatibility, a list of files contained on the compact disc including their names, sizes in bytes, and dates of creation, plus any other special information that is necessary to identify, maintain, and interpret the information on the compact disc as required by 37 CFR 1.52(e)(3). A statement listing the required information is required. Additionally, the disc(s) is not identified in the paper portion of the specification with a listing of all of the files contained on the disc. When portions of an application are contained on a compact disc, the paper portion of the specification must identify the compact disc(s) and list the files including name, file size, and creation date on each of the compact discs. See 37 CFR 1.52(e). Applicant(s) are required to amend the specification to identify each disc and the files contained on the disc including the file name, file size, and file creation date.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

*Plurdy*  
Office of Initial Patent Examination (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



July 20, 2005

CERTIFICATE OF MAILING  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to: MAIL STOP: Missing Parts, Commission for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Sara Hare  
Name of Person Mailing Paper

July 20, 2005  
Date of Deposit

  
Signature of Person Mailing Paper

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RE: Title: **METHOD FOR CANCER THERAPY USING HERBAL EXTRACTS**  
Inventor: ZAVERI, Chanda  
Filing Date: July 31, 2003  
Serial No: 10/632,349  
Attorney Docket No: 8035-002-DIV3

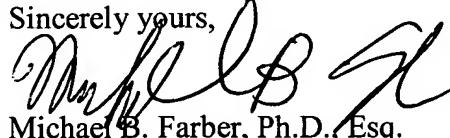
Dear Commissioner:

Enclosed please find the following documents related to the above-identified matter:

1. Transmittal Form (1 page);
2. Reply to Notice to File Missing Parts of Nonprovisional Application (2 pages)
3. Copy of Notice to File Missing Parts of Nonprovisional Application (2 pages); and
4. Self-Addressed Stamped Postcard

Although there are no fees associated with this submission at this time, please charge any additional fee(s) or overpayments to Deposit Account Number: 502235.

The self-addressed, stamped postcard has been included for your convenience. After confirming receipt of these documents please return the postcard to us at your earliest convenience. Should you have any questions, please do not hesitate to contact me by phone at (858) 450-0099.

Sincerely yours,  
  
Michael B. Farber, Ph.D., Esq.  
Catalyst Law Group, APC  
Reg. No. 32,612

Enclosure(s)



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

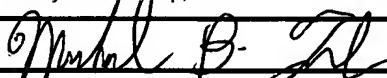
(to be used for all correspondence after initial filing)

		Application Number	10/632,349
		Filing Date	July 31, 2003
		First Named Inventor	ZAVERI, Chanda
		Art Unit	TBD
		Examiner Name	TBD
Total Number of Pages in This Submission		Attorney Docket Number	8035-002-DIV3

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please Identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input checked="" type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Remarks	

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Catalyst Law Group, APC		
Signature			
Printed name	Michael B. Farber, Ph.D., Esq.		
Date	July 20, 2005	Reg. No.	32,612

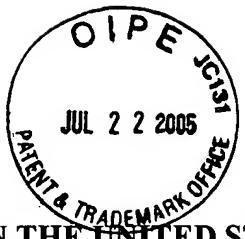
### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Sara Hare	Date	July 20, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT  
8035-002-DIV3  
(Formerly 37896.00002.DIV3)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	Examiner:
	)	
C. Zaveri	)	Group Art Unit:
	)	
Serial No.: 10/632,349	)	Docket No.: 8035-002-DIV3
	)	
Filed: July 31, 2003	)	Date Mailed: July 20, 2005
	)	
For: METHOD FOR CANCER THERAPY	)	
USING HERBAL EXTRACTS	)	

**REPLY TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

Mail Stop Missing Parts  
Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is a reply to the Notice to File Missing Parts of Nonprovisional Application, mailed June 13, 2005.

The Notice to File Missing Parts of Nonprovisional Application is in error. The Notice to File Missing Parts of Nonprovisional Application stated that the application was objected to because it allegedly contained a data file on CD-ROM/CD-R, and the transmittal letter failed to comply with 37 C.F.R. § 1.52(e)(3). Additionally, it was stated that the disc was not identified in the paper portion of the specification pursuant to 37 C.F.R. § 1.52(e).

However, the compact disc submitted was not a data file that falls within the requirements of 37 C.F.R. § 1.52(e)(3) or that was required to be identified in the paper portion of the specification pursuant to 37 C.F.R. § 1.52(e). The compact disc submitted was not part of the application itself. Rather, the compact disc was merely a computer readable form for the submission of a sequence listing under 37 C.F.R. § 1.823. The contents of the computer readable form are the same as that of the paper copy of the sequence listing which was submitted with the application, which meets the requirements of 37 C.F.R. § 1.823. The use of a compact disc as a computer readable form for the submission of a copy of the sequence listing is specifically permitted under 37 C.F.R. § 1.824(c).

Accordingly, the submission of the compact disc as a computer readable form for the sequence listing is not a “data file” that falls within the requirements of 37 C.F.R. § 1.52(e). The compact disc that contains the sequence listing is being submitted for exhibit purposes only.

Therefore, no amendments to the specification are needed, inasmuch as a paper copy of the sequence listing has already been submitted and the contents of the paper copy and the computer readable form are identical. Accordingly, the Notice to File Missing Parts of Nonprovisional Application should therefore be withdrawn and the above-identified application be processed for examination on the merits.

If any issues remain, the Office of Initial Patent Examination is respectfully requested to telephone the undersigned at (858) 200-00581.

Respectfully submitted,



Michael B. Farber, Ph.D., Esq.

Date: July 26, 2005  
**CATALYST LAW GROUP, APC**  
9710 Scranton Road, Suite 170  
San Diego, California 92121  
(858) 450-0099 - (858) 450-9834 (Fax)